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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,611	01/26/2001	Keisei Yamamuro	FUR0010-PCT	1619
7055	7590	11/02/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			SHANNON, MICHAEL R	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 11/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center"><b>Office Action Summary</b></p>	<p>Application No.</p> <p>09/744,611</p>	<p>Applicant(s)</p> <p>YAMAMURO ET AL.</p>	
	<p>Examiner</p> <p>Michael R. Shannon</p>	<p>Art Unit</p> <p>2614</p>	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 15-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 and 15-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see pages 9-16, filed August 19, 2005, with respect to the rejection(s) of claim(s) 13 under 35 USC §102(e) and 1-12 and 15-17 under 35 USC §103(a) have been fully considered and are persuasive.

Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Seth-Smith et al (USPN 4,829,569), previously cited by Examiner, along with a combination of other cited sources.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 13 is rejected under 35 U.S.C. 102(b) as being anticipated by Seth-Smith et al (USPN 4,829,569), previously cited by Examiner.

To serve as a brief overview, the Seth-Smith reference discloses a television subscription system that delivers teletext messages having specified formats. The formats for display can be varied based on a template and the messages can be user-initiated, broadcaster-initiated, and decoder-initiated. The decoder uses templates and template numbers to display the teletext messages

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according to pre-defined formats that are easily displayable to the user. This art rejection mainly focuses on the broadcaster-initiated teletext messages, however, also relies on features that are common through all types of initiated teletext messages.

Regarding **claim 13**, the claimed “computer readable medium that stores a reconstruction program for controlling reconstruction of main contents and sub contents” is met by the MATS processor, which goes through the process of using templates and messages to construct viewable messages [col. 16, lines 6-20]. The claimed step of “determining an output form of sub contents data in accordance with a predetermined output form corresponding to an output form ID included in the sub contents data, and in accordance with output contents data included in the sub contents data, so as to perform reconstruction control of the sub contents data” is met, firstly, by the EEPROM, which maps the template to the template page number [col. 15, lines 60-65]. The process then grabs the indicated page when the teletext header including the page number is received [col. 16, lines 1-5]. In other words, the template is grabbed from the broadcast stream once the processor receives a request for that template number via the addressed packet in the broadcaster-initiated teletext message [col. 16, line 68 – col. 17, line 10]. The processor then goes on to process and display the message, as described in column 16, lines 40-60.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 10-12, and 15-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seth-Smith et al (USP 4,829,569), previously cited by examiner, in view of Eda et al (USP 5,760,820), previously cited by examiner.

To serve as a brief overview of Eda, the reference discloses a system for the delivery of emergency information through the use of multiplexed video, audio, and emergency information signals making up the transport stream

Regarding **claim 1**, the Seth-Smith reference discloses the following within the transmission device:

- The claimed "output form ID that indicates an output form of the sub contents, and output contents data that indicate output contents", is met by the template page number, which is mapped in the EEPROM of the local device [col. 15, lines 60-65] and is used to grab the template page from the teletext stream coming from the transmitting device [col. 16, lines 1-5] according to the received addresses packet indicating that a personal message is available at a particular page number [col. 16, line 68 – col. 17, line 10].

The Seth-Smith reference further discloses the following within the reception device:

- The claimed “reconstruction portion that controls reconstruction of main contents and sub contents in accordance with the received transport stream”, is met by the MATS processor, which goes through the process of using templates and messages to construct viewable messages [col. 16, lines 6-20].
- The claimed “reconstruction portion for determining the output form of the sub contents data in accordance with an output form that is predetermined for the output form ID in the received sub contents data, and determining the output contents of the sub contents data in accordance with the output contents data in the received sub contents data, so as to perform the reconstruction control of the sub contents data”, is met, firstly, by the EEPROM, which maps the template to the template page number [col. 15, lines 60-65]. The process then grabs the indicated page when the teletext header including the page number is received [col. 16, lines 1-5]. In other words, the template is grabbed from the broadcast stream once the processor receives a request for that template number via the addressed packet in the broadcaster-initiated teletext message [col. 16, line 68 – col. 17, line 10]. The processor then goes on to process and display the message, as described in column 16, lines 40-60.

The Seth-Smith reference does not disclose “a multiplex portion that multiplexes main contents data and sub contents data so as to generate a transport stream and a transmission portion that transmits the transport stream generated by the multiplex portion, the multiplex portion generating the sub contents data” including the output form ID and the actual data (as discussed above) within the transmission device. The Eda reference discloses a multiplexer for multiplexing main contents (digital video and audio signals) and sub contents (digital information signal of text) and a transmitter for transmitting the multiplexed information to the subscribers [col. 7, lines 11-44]. Also, the Eda reference discloses that the multiplexer portion generates the sub contents data (digital information signal of text) using the information stream generator 107 [col. 7, lines 11-44].

The Seth-Smith reference further does not disclose, “a reception portion that receives the transport stream transmitted by the transmission device” within the reception device. The Eda reference discloses a receiver which utilizes a bit stream input terminal 201, a decoder 203, a demultiplexer 202, and a discriminator 204 for receiving the transport stream transmitted by the transmission device [col. 8, line 65 – col. 9, line 7].

At the time of the invention it would have been obvious to one of ordinary skill in the art to combine the intricate details of transmission and reception using a multiplexed system, as taught by Eda, into the system of Seth-Smith, in order to allow for a simple way to transmit extra information (such as data or text) while still only using a single transport stream, therefore making the process

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compatible with current multiplexed transmission and reception system and as well as making it stream-lined and straight-forward. Furthermore, as is suggested by Seth-Smith, the transmitted signal can be a B-MAC signal, or B-format Multiplexed Analog Component Signal [col. 7, lines 12-17].

Regarding **claim 2**, see the above rejection for the transmission device of claim 1.

Regarding **claim 3**, see the above rejection for the reception device of claim 1.

Regarding **claim 4**, Seth-Smith and Eda teach all that is discussed above with regards to claim 1. Seth-Smith further teaches an EEPROM 116 [Fig. 13] that links the teletext page number with the template for the information display [col. 15, lines 60-65]. This EEPROM is present in the decoder of Figure 13 and therefore meets the claimed "broadcast system according to claim 1, wherein an output form table describing the output form ID and the output form corresponding thereto is recorded in the reception device".

Regarding **claim 10**, Seth-Smith further meets the claimed "system according to claim 1, wherein the sub contents comprise commercial information"; wherein he discloses messages being sent to subscribers such as change in service messages or personal messages [col. 13, lines 23-25]. This meets the claimed commercial information because it is commercially relevant to the viewer.

Regarding **claim 11**, Seth-Smith further meets the claimed "system according to claim 1, wherein sub contents comprise emergency information",



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wherein he discloses messages being sent to subscribers such as general dangers of which they should be aware [col. 6, lines 18-19]. Also, he clearly discloses that the messages can indicate emergency conditions [col. 13, lines 23-25].

Regarding **claim 12**, the claimed "contents data in which main contents data and sub contents data are multiplexed, wherein the sub contents data include an output form ID that indicates an output form of the sub contents and output contents data that indicate output contents" is met as follows. Seth-Smith teaches a teletext page number which represents a template for use in displaying a message. The transmitter transmits an addressed packet with a message, indicating to the receiver that the message should appear according to a template located at the teletext page number [col. 16, line 68 – col. 17, line 10]. The output contents, in this case, being met by the teletext addressed packet message and the output form ID being met by the teletext page number. However, Seth-Smith does not teach that the main contents (main AV data) and the sub contents (teletext message and teletext page number) are multiplexed. Eda teaches multiplexing video and audio streams (main contents), and information streams (sub contents) [col. 7, lines 12-26]. At the time of the invention it would have been obvious to one of ordinary skill in the art to combine the intricate details of transmission and reception using a multiplexed system, as taught by Eda, into the system of Seth-Smith, in order to allow for a simple way to transmit emergency information or commercials while still only using a single transport stream, therefore making the process compatible with current

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multiplexed transmission and reception system and as well as making it streamlined and straight-forward. Furthermore, as is suggested by Seth-Smith, the transmitted signal can be a B-MAC signal, or B-format Multiplexed Analog Component Signal [col. 7, lines 12-17].

Regarding method **claim 15**, the claimed method for using a system including a transmission device and reception device is met by the above rejection of the system of claim 1.

Regarding method **claim 16**, the claimed method for generating a transport stream is met by the above rejection of the transmission device of claim 1.

Regarding method **claim 17**, the claimed method for reconstructing a transport stream is met by the above rejection of the reception device of claim 1.

Regarding system **claim 18**, the claimed "system according to claim 1, wherein the sub contents data includes one of an output form ID and a script, the reconstruction portion determined whether the received sub contents data includes an output form ID which corresponds to an output form ID stored in a reference table of the reception device, if the sub contents data includes an output form ID that corresponds to an output form ID stored in the reference table, the reception device presents the output contents in an output form corresponding to the stored output form ID, and if the sub contents data does not include an output form ID that corresponds to an output form ID stored in the reference table, the reception device presents the output contents based upon a script included in the sub contents data" is met as follows. The MATS processor

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goes through the process of using templates and messages to construct viewable messages [col. 16, lines 6-20]. Firstly, the EEPROM maps the template to the template page number [col. 15, lines 60-65]. The teletext addressable message contains the template page number and the personal message page number. The template page number (which is transmitted in the broadcast stream) consists of the script for outputting the received message [col. 16, line 65 – col. 17, line 10]. The process grabs the indicated page when the teletext header including the page number is received [col. 16, lines 1-5]. In other words, the template is grabbed from the broadcast stream once the processor receives a request for that template number via the addressed packet in the broadcaster-initiated teletext message [col. 16, line 68 – col. 17, line 10]. If the template is not already stored in the RAM, then the template must be received in script form from within the teletext stream [col. 18, lines 36-39 & col. 20, lines 61-68]. The processor then goes on to process and display the message, as described in column 16, lines 40-60.

Regarding **claim 19**, see the above rejections to claims 1, 2, and 18.

Regarding **claim 20**, see the above rejections to claims 1, 3, and 18.

3. Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seth-Smith et al (USP 4,829,569), previously cited by examiner, in view of Eda et al (USP 5,760,820), previously cited by examiner, in further view of Lemmons et al (USPN 6,442,755), cited by Examiner.

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Regarding **claim 5**, Seth-Smith and Eda teach all of that which is discussed above with reference to claim 1. Neither, however, teach a "system according to claim 1, wherein the output form includes a display position of the sub contents". While Seth-Smith does teach a template for displaying teletext messages, he does not go into the specifics of the template layout or design. Lemmons, on the other hand, goes into great detail about the layout and design of a template for providing EPG information delivered via communication link 18 with the video data. In column 6, line 48, Lemmons discloses positioning of screen data according to the HTML/XML/DHTML template. It would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the template or layout of the screen according to a display position, in order to update template views to reflect currently used features and layouts. Also, the Seth-Smith reference clearly suggests that programming schedules are a form of sub content that can be used [col. 12, line 55].

Regarding **claim 6**, Seth-Smith and Eda teach all of that which is discussed above with reference to claim 1. Neither, however, teach a "system according to claim 1, wherein the output form includes information indicating whether the contents are outputted". While Seth-Smith does teach a template for displaying teletext messages, he does not go into the specifics of the template layout or design. Lemmons, on the other hand, goes into great detail about the layout and design of a template for providing EPG information delivered via communication link 18 with the video data. In column 10, lines 33-37, Lemmons discloses that content can be seen or hidden according to the

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HTML/XML/DHTML template. It would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the template or layout of the screen according to a hidden or visible value, in order to update template views to reflect currently used features and layouts. Also, the Seth-Smith reference clearly suggests that programming schedules are a form of sub content that can be used [col. 12, line 55].

Regarding **claim 7**, Seth-Smith and Eda teach all of that which is discussed above with reference to claim 1. Neither, however, teach a "system according to claim 1, wherein the output form includes an output time of the sub contents". While Seth-Smith does teach a template for displaying teletext messages, he does not go into the specifics of the template layout or design. Lemmons, on the other hand, goes into great detail about the layout and design of a template for providing EPG information delivered via communication link 18 with the video data. In column 7, lines 18-23, Lemmons discloses that content can be provided manually or automatically at a pre-defined time. It would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the template or layout of the screen according to displaying the content at a pre-defined time, in order to update template views to reflect currently used features and layouts. Also, the Seth-Smith reference clearly suggests that programming schedules are a form of sub content that can be used [col. 12, line 55].

Regarding **claim 8**, Seth-Smith and Eda teach all of that which is discussed above with reference to claim 1. Neither, however, teach a "system

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according to claim 1, wherein the output form includes an output condition of the sub contents". While Seth-Smith does teach a template for displaying teletext messages, he does not go into the specifics of the template layout or design. Lemmons, on the other hand, goes into great detail about the layout and design of a template for providing EPG information delivered via communication link 18 with the video data. In column 8, lines 55-56, Lemmons discloses that the template can define style of text, colors, and special effects. It would have been clearly obvious to one of ordinary skill in the art at the time of the invention to modify the template or layout of the screen according to output conditions of the output contents, in order to update template views to reflect currently used features and layouts. Also, the Seth-Smith reference clearly suggests that programming schedules are a form of sub content that can be used [col. 12, line 55].

Regarding **claim 9**, Seth-Smith and Eda teach all of that which is discussed above with reference to claim 1. Neither, however, teach a "system according to claim 1, wherein the reception device determines the output form of the sub contents in accordance with a predetermined output form when the received output form ID is not a predetermined one". The Seth-Smith reference does teach the concept of the output form ID (previously discussed as being met by the teletext page number), however, fails to disclose a default output form being used in the absence of a valid output form ID. Lemmons teaches a default template layout that is present in the system upon manufacture and which can be subsequently updated without user intervention [col. 2, lines 31-36]. The

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Lemmons reference has the stored, default layout and is forced to use that layout until an update is available and automatically downloaded. This reads on the fact that the sub contents (EPG data) are output according to the pre-stored output form (layout HTML/DHTML/XML information) when the output form ID (as discussed in Seth-Smith) is not present. It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize a default template for dealing with the situation where an invalid or no template ID is provided, in order to always have a way of viewing sub content data and to allow for user screens and program guide functionality anytime. Also, the Seth-Smith reference clearly suggests that programming schedules are a form of sub content that can be used [col. 12, line 55].

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R. Shannon who can be reached at (571) 272-7356 or Michael.Shannon@uspto.gov. The examiner can normally be reached by phone Monday through Friday 8:00 AM – 5:00PM, with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller, can be reached at (571) 272-7353.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is **(571) 272-2600**.

Michael R Shannon  
Examiner  
Art Unit 2614

Michael R Shannon  
October 25, 2005

  
**JOHN MILLER**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**